



MEMORANDUM

TO: Eduardo Longoria, President
Shambala Corporation

FROM: Denise Lucas, Interim Director 
Development Services Department

DATE: May 10, 2019

SUBJECT: Response to Appeal of Suspension of Certificate of Occupancy for the School Cafeteria Located at 1701 Toomey Rd.

CERTIFIED: 7001 0360 0000 3565 5814

In response to your appeal to the accountable official heard on May 8, 2019, I have decided to affirm the department's decision to suspend the certificate of occupancy for the school cafeteria at 1701 Toomey Rd. based on the failure to demonstrate that the suspension was improperly issued and the failure to demonstrate that the statements of facts in the suspension notice are inaccurate.

The certificate of occupancy for the school cafeteria structure received under permits 1991-010757 BP and 1997-014303 BP was suspended on May 2, 2019, because the building violates provisions of Fire Code Section 503.1.1 (*Buildings and Facilities*) and Fire Code Section 503.2.1 (*Dimensions*). The aforementioned notice of suspension provides details of these violations.

The required actions to obtain compliance with the Fire Code listed in the notice of suspension issued on May 2, 2019, remain in effect. To remedy the violations, you must:

- Obtain a building permit for the installation of the fire sprinklers inside the school cafeteria building,
- Obtain and pass all necessary inspections from Development Services and Austin Fire Departments related to the installation of the fire sprinklers inside the school cafeteria building, and
- Complete construction of fire line and obtain all necessary inspections for plumbing permit 2019-000680.

As stated in the notice of suspension issued on May 2, 2019, if these actions are not completed by June 1, 2019, the certificate of occupancy will be revoked pursuant to City Code Section 25-1-416 (*Revocation after Suspension*).

While I understand that work has progressed toward obtaining compliance for the structure, I must uphold the Building Official's action to suspend the certificate of occupancy for the school cafeteria in light of the seriousness of the life safety issues which create a hazard for this building, adjacent structures, occupants, and emergency responders.

This decision is appealable to the Building and Fire Code Board of Appeals. If you wish to appeal this decision, please contact Rick Arzola at rick.arzola@austintexas.gov or by phone at 512-974-2417 to initiate and schedule the appeal.

xc: Stuart Hersh, consultant
 Beth Culver, Building Official and Acting Assistant Director, Development Services Department
 Chief Tom Vocke, Fire Marshal, Austin Fire Department
 Brent Lloyd, Development Officer, Development Services Department
 Daniel Word, Division Manager, Austin Code
 Chief Bret Carr, Austin Fire Department
 Matthew Noriega, Austin Code
 J. Rodney Gonzales, Assistant City Manager
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 Jose Roig, Assistant Director, Austin Code
 Patricia Link, Assistant City Attorney, Austin Code
 Andrew Linseisen, Assistant Director, Development Services Department